



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

June 24, 2005

Mr. Roderick L. Bremby, Secretary  
Kansas Department of Health and Environment  
Office of the Secretary  
1000 SW Jackson, Suite 540  
Topeka, Kansas 66612-1368

Dear Mr. Bremby:

RE: Neosho Basin TMDLs

This letter is in response to the Spring River Total Maximum Daily Load (TMDL) document submitted by the Kansas Department of Health and Environment and received by the U.S. Environmental Protection Agency (EPA) on April 21, 2005. The specific impairment is biology due excessive metal pollutants, cadmium, copper, lead, and zinc (water body segments are listed below).

Spring River TMDL: KS-NE-07-212\_2, KS-NE-07-212\_886, KS-NE-07-213\_20, KS-NE-07-213\_3, KS-NE-07-213\_4, KS-NE-07-213\_6, KS-NE-07-570\_881, KS-NE-07-213\_1, KS-NE-07-213\_23, KS-NE-07-569\_17, KS-NE-07-569\_22, KS-NE-07-211\_18, and KS-NE-07-210\_19.

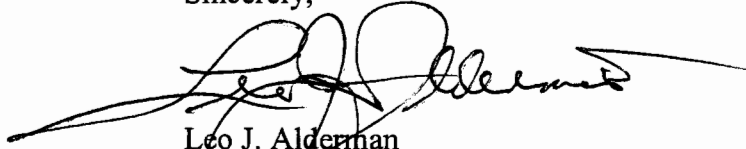
In addition to fulfilling the Clean Water Act statutory requirement to develop TMDLs for those waters listed on the Kansas §303(d) list, this submission was made pursuant to Paragraph 7 of the Consent Decree requirements entered on April 13, 1998.

EPA has completed its review of this TMDL document and by this letter; EPA approves the Spring River TMDL. Region 7 TMDL review forms are enclosed with this letter which summarizes the rationale for EPA's approval for each TMDL document. EPA believes the separate elements of the TMDLs described in the review forms adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

EPA is currently engaged in consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service regarding these TMDLS. While EPA is approving these TMDLs at the present time, EPA may decide that changes to the TMDLs are warranted based upon the results of the consultation when it is completed.

EPA commends KDHE on its efforts to submit these TMDLs for the Neosho Basin as set forth in the Consent Decree requirements. EPA appreciates the thoughtful teamwork and partnering effort that Kansas has put forth in the development of these TMDLs as well. We will continue to cooperate and assist, as appropriate, in future efforts by Kansas to develop TMDLs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo J. Alderman', with a long horizontal flourish extending to the right.

Leo J. Alderman  
Director  
Water, Wetlands, and Pesticides Division

Enclosures

cc: Tom Stiles, Kansas Department of Health and Environment  
John Simpson, Kansas Natural Resource Council, Inc.